

Atty. Dkt. No. 00CR063/KE

REMARKS

Applicant respectfully requests favorable reconsideration of the present application in view of the reasons that follow.

Claims 1-30 are currently pending in the application.

A detailed listing of all claims that are, or were, in the application, irrespective of whether the claim(s) remain under examination in the application, is presented, with an appropriate status identifier for each.

Claim Rejections – 35 U.S.C. § 103(a)

On pages 2-5 of the Office Action, Claims 1-30 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Conrad et al. (U.S. Patent No. 6,810,527) in view of Podowski et al. (U.S. Patent No. 5,524,272).

Applicant respectfully traverses this rejection. Specifically, Applicant submits that Conrad et al. is not available as a prior art reference against the claims of the present application.

A Declaration by the inventor pursuant to 37 C.F.R. § 1.131 has been provided herewith, which provides evidence that the subject matter recited in Claims 1-30 was invented prior to the filing date of Conrad et al. (September 27, 1999). Specifically, the Declaration establishes that the subject matter recited in Claims 1-30 was conceived prior to September 27, 1999. Exhibit A attached to the Declaration is a PowerPoint document establishing the invention of the subject matter recited in Claims 1-30 prior to the September 27, 1999 filing date of Conrad et al.

Accordingly, the rejections of Claims 1-30 should be withdrawn, because Conrad et al. is not available as prior art against such claims. Reconsideration and withdrawal of the rejections of Claims 1-30 under 35 U.S.C. § 103(a) is therefore respectfully requested.

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It is submitted that each outstanding objection and rejection to the Application has been overcome, and that the Application is in a condition for allowance. Applicant requests consideration and allowance of all pending Claims 1-30.

The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 18-1722.

If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicant hereby petitions for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 18-1722.

Respectfully submitted,

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